
STATUTORY INSTRUMENTS

1996 No. 2202 (S.178)

ANIMALS

PREVENTION OF CRUELTY

The Spring Traps Approval (Scotland) Order 1996

Made - - - - *19th August 1996*

Coming into force - - *26th August 1996*

The Secretary of State, in exercise of the powers conferred on him by sections 50(3) and 85(3) of the Agriculture (Scotland) Act 1948⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Spring Traps Approval (Scotland) Order 1996 and shall come into force on 26th August 1996.

(2) Any reference in this Order to “the Schedule” is a reference to the Schedule to this Order.

Approval of spring traps

2.—(1) For the purposes of section 50 of the Agriculture (Scotland) Act 1948, the following spring traps are approved, namely:—

- (a) any spring trap of a type and make specified in any entry in column (1) of the Schedule; and
- (b) any spring trap which is equivalent in all relevant respects to a spring trap of a type and make specified in any entry in column (1) of the Schedule.

(2) The approvals given by paragraph (1) of this article relating to any spring trap specified in any entry in column (1) of the Schedule, and to any spring trap equivalent in all relevant respects to a spring trap so specified are subject to the conditions as to the animals for which and the circumstances in which the spring trap may be used specified in the corresponding entry in column (2) of the Schedule.

(3) For the purposes of this Order, a spring trap is equivalent in all relevant respects to a spring trap of a type and make specified in the Schedule if it corresponds to the spring trap so specified in construction, in materials, in impact force or momentum, and in all other respects which are relevant to its effect or manner of operation as a trap.

(1) 1948 c. 45; section 50 was substituted by section 10 of the Pests Act 1954 (c. 68).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Revocations

3. The following instruments are revoked:—

- (a) the Spring Traps Approval (Scotland) Order 1975(2);
- (b) the Spring Traps Approval (Scotland) (Variation) Order 1982(3);
- (c) the Spring Traps Approval (Scotland) (Variation) Order 1988(4); and
- (d) the Spring Traps Approval (Scotland) (Variation) Order 1993(5).

St Andrew's House,
Edinburgh
19th August 1996

Lindsay
Parliamentary Under Secretary of State, Scottish
Office

(2) S.I.1975/1722.
(3) S.I. 1982/91.
(4) S.I. 1988/2213.
(5) S.I. 1993/167

SCHEDULE

Article 2

Column (1) Type and make of trap	Column (2) Conditions
Aldrich Spring Activated Animal Snare manufactured by or under the authority of Mr D Schimetz, PO Box 158, Sekiu, Washington, 98381, USA.	The trap shall be used only for the purpose of killing or taking large, non-indigenous, mammalian carnivores.
BMI Magnum 55 manufactured by or under the authority of Butera Manufacturing Industries, 2395 Lynn Drive, Willoughby Hills, Ohio 44092, USA.	The trap shall be used only for the purpose of killing or taking rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981(6)) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
BMI Magnum 110 manufactured by or under the authority of Butera Manufacturing Industries, 2395 Lynn Drive, Willoughby Hills, Ohio 44092, USA.	The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
BMI Magnum 116 manufactured by Butera Manufacturing Industries, 2395 Lynn Drive, Willoughby Hills, Ohio 44092 USA.	The trap shall be used only for the purpose of killing or taking grey squirrels, mink, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
Fenn Vermin Trap Mark I, Vermin Trap Mark II, Vermin Trap Mark III and Vermin Trap Mark IV (Heavy Duty) manufactured by or under the authority of Mr A A Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire and specified in British Patent Specification No 763,891 and as illustrated in figures 1 to 3 of that Specification, and Springer No 4 Multi-purpose (Heavy Duty) manufactured by or under the authority of AB Country Products Ltd, Troy Industrial Estate, Jill Lane, Sambourne, Near Ashwood Bank, Redditch, Worcestershire.	The traps shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in natural or artificial tunnels, which are, in either case, suitable for the purpose.
Fenn Vermin Trap Mark VI (Dual Purpose) manufactured by or under the authority of Mr A A Fenn of FHT Works, Hoopers Lane, Astwood Bank, Redditch, Worcestershire and	The traps shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules

(6) 1981 c. 69.

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<p>specified in British Patent Specification No 763,891 and Springer No 6 Multi-purpose manufactured by or under the authority of AB Country Products Ltd, Troy Industrial Estate, Jill Lane, Sambourne, Near Ashwood Bank, Redditch, Worcestershire.</p>	<p>5 and 6 to the Wildlife and Countryside Act 1981) and set in natural or artificial tunnels, which are, in either case, suitable for the purpose.</p>
<p>Fenn Rabbit Trap Mark I manufactured by or under the authority of Mr A A Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire.</p>	<p>The trap shall be used only for the killing or taking of rabbits and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>
<p>Fuller Trap manufactured by or under the authority of Fuller Industries, Three Trees, Loxwood Road, Bucks Green, Rudgwick, Sussex.</p>	<p>The trap shall be used only for the purpose of killing or taking grey squirrels and fitted with an artificial tunnel which is suitable for the purpose.</p>
<p>Imbra Trap Mark I and Mark II, both manufactured by or under the authority of James S Low and Sons Ltd, Atholl Smithy, Atholl Street, Blairgowrie, Perthshire and specified in British Patent Specification No 682,427 and as illustrated in figures 1 to 4 of that specification.</p>	<p>The traps shall be used only for the purpose of killing or taking grey squirrels, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in natural or artificial tunnels which are, in either case, suitable for the purpose.</p>
<p>Juby Trap manufactured under the authority of the Ministry of Agriculture, Fisheries and Food, Whitehall Place, London, SW1 and specified in British Patent Specification No 813,066 and as illustrated in figures 1 to 3 of that specification.</p>	<p>The trap shall be used only for the purpose of killing or taking grey squirrels, rabbits, stoats, weasels, rats, mice or other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>
<p>Kania Trap 2000 manufactured by or under the authority of the C E Kania Corporation 124-21, 10405 Jasper Avenue, Edmondton, Alberta, Canada.</p>	<p>The trap shall be used only for the purpose of killing or taking grey squirrels, mink, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and fitted with an artificial tunnel which is suitable for the purpose.</p>
<p>Lloyd Trap manufactured under the authority of the National Research Development Corporation, and specified in British Patent Specification No 987,113 and as illustrated in figures 1 to 3 of that Specification.</p>	<p>The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>

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Column (1) Type and make of trap	Column (2) Conditions
Sawyer Trap manufactured by or under the authority of James S Low and Sons Ltd, Atholl Smithy, Atholl Street, Blairgowrie, Perthshire.	The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981) and set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

EXPLANATORY NOTE

(This note is not part of the Order)

By virtue of section 50 of the Agriculture (Scotland) Act 1948 it is an offence to use in Scotland for the purposes of killing or taking animals a spring trap other than one approved by an order of the Secretary of State.

This Order revokes and replaces the Spring Traps Approval Order 1975 and subsequent amendments listed in article 3 (“the previous Orders”). Article 2 specifies approved traps, namely those listed in column (1) of the Schedule and others which are equivalent in all relevant respects to those so listed. The Order adds four types of traps to those approved under the previous Orders. Conditions attached to the approval of each type of trap are specified in column (2) of the Schedule. These have been amended from the conditions in the previous Orders so as to ensure that no trap could operate as a leghold trap as defined in Article 1 of Council Regulation (EEC) 3254/91 (OJ No L308, 9.11.91, p1) prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards.